

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

SWI-CO CONSTRUCTION, INC., et al.,

Plaintiffs,

No. C 10-3122 PJH

v.

**ORDER VACATING MOTION HEARING;  
SUSPENDING BRIEFING ON  
MOTION FOR SUMMARY JUDGMENT**

AMCO INSURANCE COMPANY, et al.,

Defendants.

The parties have been ordered to appear before Magistrate Judge Zimmerman for further settlement conference, which is set for November 18, 2011. On October 4, 2011 plaintiffs filed a motion for summary judgment noticed for hearing on November 9, 2011, a date which is unavailable for further hearings. As noted on the court's website, all hearing dates for even-numbered cases are full until January 18, 2012. The court recognizes that a hearing date in January 2012, will necessitate the continuance of the pretrial and trial dates and for that reason orders as follows. The November 9, 2011 hearing date is vacated and briefing on plaintiffs' motion for summary judgment is suspended pending the completion of the settlement conference before Magistrate Judge Zimmerman. In the event that the matter does not settle, the parties shall appear for further case management conference on December 1, 2011, at 2:00 p.m. to discuss the briefing and hearing schedule for the motion and a potential new trial date.

**IT IS SO ORDERED.**

Dated: October 5, 2011

  
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PHYLLIS J. HAMILTON  
United States District Judge